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WENDEROTH, LIND & PONACK LLP. 2033 K. STREET, NW SUITE 800 WASHINGTON, DC 20006			WANG-HURST, KATHY W	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/593,031	Applicant(s) MATSUO, MASATOSHI
	Examiner KATHY WANG-HURST	Art Unit 2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

Status

- 1) Responsive to communication(s) filed on 15 September 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 15 September 2006 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date 9/15/2006
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: page 15 line 12 "flushing" is meant to be "flashing".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil (US 6973333) in view of Carmon (US 7269407).

Regarding claim 1, O'Neil discloses a mobile-object terminal device comprising:

at least one functional means (col. 4, line 36);

a receiving unit; an information storage unit (col. 4 line 51; Fig. 4 item 410);

a function restriction unit (col. 5 lines 1-3 restriction unit);

wherein said information storage unit comprises:

a function restriction information storage unit (col. 5 lines 1-3; Fig. 4 item 420 and 425);

a benefit information storage unit (col. 15 lines 3-19, skid incidents over a

predetermined period of time will be accumulated and such information is used to apply phone restriction for the benefit of safety);

and an emergency information storage unit (Fig. 18 item 1840, storing information such as 911 or auto repair),

wherein said receiving unit receives mobile-object information including: function restriction information for use in restricting a function of said at least one of functional means (col. 5 lines 30-34 render phone inoperative); benefit information for use in determining restriction of the function of said at least one of functional means, the restriction being executed according to the function restriction information (col. 15 lines 3-19, skid incidents over a predetermined period of time will be accumulated and such information is used to apply phone restriction for the benefit of safety); and emergency information to be issued in case of emergency for use in releasing restriction imposed on the function of said at least one of functional means (col. 5 lines 34-39 permit using the cell phone if identified as exceptional such as emergency; Fig. 20 item 2030), wherein said function restriction information storage unit stores the function restriction information included in the mobile-object information received by said receiving unit (Fig. 4 item 420 and 425),

wherein said benefit information storage unit stores temporally the benefit information included in the mobile-object information received by said receiving unit, and stores accumulatively benefit determined on the basis of the benefit information as accumulated benefit information (col. 15 lines 3-19, skid incidents over a predetermined period of time will be accumulated and such information is used to apply phone restriction for the benefit of safety),

wherein said emergency information storage unit stores the emergency information

included in the mobile-object information received by said receiving unit (Fig. 18 item 1840, storing information such as 911 or auto repair therefore emergency information storage unit; col. 5 lines 34-39, received as exceptional situations such as emergency), wherein said function restriction unit, based on the function restriction information stored in said function restriction information storage unit (col. 5 lines 1-3 restriction unit) and the emergency information stored in said emergency information storage unit (Fig. 18 item 1840, storing information such as 911 or auto repair), restricts the execution of the function of said at least one functional means, and at the same time determines, in accordance with the restricted function (col. 5 lines 30-34 render phone inoperative therefore restrict the execution of the function), the benefit to be accumulatively stored in said benefit information storage unit from the benefit information stored temporally in said benefit information storage unit (col. 15 lines 3-19, information such as skid incidents over a predetermined period of time will be accumulated and stored), and wherein said accumulated benefit information reading unit, in response to external request, processes the accumulated benefit information stored in said benefit information storage unit to apply restriction function (col. 15 lines 3-19, information accumulated over a predetermined period of time is used to apply phone restriction for the benefit of safety). O'Neil fails to disclose the benefit information for use in determining benefit to be given in compensation for restriction of the function, and accumulated benefit information reading unit to read out and process the accumulated benefit information thereby storing the processed, accumulated benefit information into said benefit information storage unit. Carmon teaches a wireless telecommunication

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system tracking and accumulating the circuit outage and the vendor of the circuit will pay a credit amount to those purchasing service from the circuit (col.8 lines 4-14). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the invention disclosed by O'Neil, and provide the users with credits accumulated during the time period the service is not available, as taught by Carmon, thus enhance the user experience through an improved charging process in a wireless telecommunication system (col. 2 lines 17-26).

Regarding claim 3, O'Neil discloses the mobile-object terminal device as defined claim 1, wherein, when a function start direction is issued for said at least one of functional means, said function restriction unit restricts the execution of the function by said at least one of functional means to which the function start direction is issued, based on the function restriction information stored in said function restriction information storage unit and the emergency information stored in said emergency information storage unit (col. 5 lines 30-34 render phone inoperative based on restriction condition; col. 5 lines 34-39 permit using the cell phone if identified as exceptional such as emergency).

Regarding claim 4, O'Neil discloses the mobile-object terminal device as defined by claim 1, wherein, when said receiving unit receives the mobile-object information, said function restriction information storage unit stores the function restriction information included in the mobile-object information, said emergency information storage unit stores the emergency information included in the mobile-object information, and said

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benefit information storage unit stores temporally the benefit information included in the mobile-object information,

wherein when a predetermined time elapses after said receiving unit has received the mobile-object information, said function restriction information storage unit deletes or invalidates the function restriction information stored therein, said emergency information storage unit deletes or invalidates the emergency information stored therein, and said benefit information storage unit stores accumulatively benefit determined based on the temporally-stored benefit information as the accumulated benefit information (col. 15 line 12, blocking phone function is performed for a predetermined time).

Regarding claim 5, O'Neil discloses the mobile-object terminal device as defined in claim 1, wherein the mobile-object information further includes function restriction start information and function restriction release information,

wherein when said receiving unit receives the mobile-object information including the function restriction start information, said function restriction information storage unit stores the function restriction information included in the mobile-object information, said emergency information storage unit stores the emergency information included in the mobile-object information, and said benefit information storage unit stores temporally the benefit information included in the mobile-object information, and wherein when said receiving unit receives the mobile-object information including the function restriction release information, said function restriction information storage unit

deletes or invalidates the function restriction information stored therein, said emergency information storage unit deletes or invalidates the emergency information stored therein, and said benefit information storage unit stores accumulatively benefit determined based on the temporally-stored benefit information as accumulated benefit information (col. 15 line 12, blocking phone function is performed for a predetermined time).

Regarding claim 6, O'Neil discloses the mobile-object terminal device defined in claim 1, wherein said at least one functional means includes at least one of a communications means, a shooting means, a recording means, and a sounding means (Abstract, cellular telephone therefore communications means).

Regarding claim 7, O'Neil discloses the mobile-object terminal device defined in claim 1, wherein said at least one functional means includes a speed control means operable to control speed of a vehicle (col. 9 lines 17-21).

Regarding claim 8. A mobile-object-function restriction system comprising: a plurality of transmitting devices (Fig. 4 item 410); a mobile-object terminal device (fig. 4 item 400); and a read-out device(Fig. 4 item 450) , wherein each of said plurality of transmitting devices comprises a transmitting unit operable to transmit mobile-object information to a predetermined area (col. 4 lines 36-38), the mobile-object information including: function restriction information for use in restricting functions of said mobile-object terminal device (col. 5 lines 1-3); benefit information for restriction of the functions of said mobile-

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object terminal device(col. 15 lines 3-19, skid incidents over a predetermined period of time will be accumulated and such information is used to apply phone restriction for the benefit of safety), the restriction being executed according to the function restriction information(col. 5 lines 30-34 render phone inoperative); and emergency information to be issued in case of emergency for use in releasing restriction imposed on the functions of said mobile-object terminal device (col. 5 lines 34-39 permit using the cell phone if identified as exceptional such as emergency),

wherein said mobile-object terminal device comprises: at least one functional means (col. 4, line 36);

a receiving unit; an information storage unit (col. 4 line 51; Fig. 4 item 410);

a function restriction unit (col. 5 lines 1-3 restriction unit);

wherein said information storage unit comprises:

a function restriction information storage unit (col. 5 lines 1-3; Fig. 4 item 420 and 425);

a benefit information storage unit (col. 15 lines 3-19, skid incidents over a predetermined period of time will be accumulated and such information is used to apply phone restriction for the benefit of safety);

and an emergency information storage unit (Fig. 18 item 1840, storing information such as 911 or auto repair),

wherein said receiving unit receives mobile-object information including: function restriction information for use in restricting a function of said at least one of functional means(col. 5 lines 30-34 render phone inoperative); benefit information for use in determining restriction of the function of said at least one of functional means, the

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restriction being executed according to the function restriction information (col. 15 lines 3-19, skid incidents over a predetermined period of time will be accumulated and such information is used to apply phone restriction for the benefit of safety); and emergency information to be issued in case of emergency for use in releasing restriction imposed on the function of said at least one of functional means (col. 5 lines 34-39 permit using the cell phone if identified as exceptional such as emergency; Fig. 20 item 2030), wherein said function restriction information storage unit stores the function restriction information included in the mobile-object information received by said receiving unit (Fig. 4 item 420 and 425),

wherein said benefit information storage unit stores temporally the benefit information included in the mobile-object information received by said receiving unit, and stores accumulatively benefit determined on the basis of the benefit information as accumulated benefit information (col. 15 lines 3-19, skid incidents over a predetermined period of time will be accumulated and such information is used to apply phone restriction for the benefit of safety),

wherein said emergency information storage unit stores the emergency information included in the mobile-object information received by said receiving unit (Fig. 18 item 1840, storing information such as 911 or auto repair therefore emergency information storage unit; col. 5 lines 34-39, received as exceptional situations such as emergency), wherein said function restriction unit, based on the function restriction information stored in said function restriction information storage unit (col. 5 lines 1-3 restriction unit) and the emergency information stored in said emergency information storage unit (Fig. 18

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item 1840, storing information such as 911 or auto repair), restricts the execution of the function of said at least one functional means, and at the same time determines, in accordance with the restricted function (col. 5 lines 30-34 render phone inoperative therefore restrict the execution of the function), the benefit to be accumulatively stored in said benefit information storage unit from the benefit information stored temporally in said benefit information storage unit (col. 15 lines 3-19, information such as skid incidents over a predetermined period of time will be accumulated and stored), and wherein said accumulated benefit information reading unit, in response to external request, processes the accumulated benefit information stored in said benefit information storage unit to apply restriction function (col. 15 lines 3-19, information accumulated over a predetermined period of time is used to apply phone restriction for the benefit of safety). O'Neil fails to disclose the benefit information for use in determining benefit to be given in compensation for restriction of the function, and accumulated benefit information reading unit to read out and process the accumulated benefit information thereby storing the processed, accumulated benefit information into said benefit information storage unit. Carmon teaches a wireless telecommunication system tracking and accumulating the circuit outage and the vendor of the circuit will pay a credit amount to those purchasing service from the circuit (col. 8 lines 4-14). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the invention disclosed by O'Neil, and provide the users with credits accumulated during the time period the service is not available, as

taught by Carmon, thus enhance the user experience through an improved charging process in a wireless telecommunication system (col. 2 lines 17-26).

Regarding claim 9, O'Neil discloses the mobile-object-function restriction system as defined in claim 8, wherein the mobile-object information further includes function restriction start information to validate the function restriction information and function restriction release information to invalidate the function restriction information, and wherein, in the predetermined area with an entrance and an exit, the entrance being provided with one of said plurality of transmitting devices as an entrance transmitting device and the exit being provided with another of said plurality of transmitting devices as an exit transmitting device, the entrance transmitting device transmits the mobile-object information including the function restriction start information, and the exit transmitting device transmits the mobile-object information including the function restriction release information (col. 5 lines 43-67).

Regarding claim 10, O'Neil discloses the mobile-object-function restriction system as defined in claim 8, wherein said plurality of transmitting devices transmit separately the mobile-object information including both the function restriction information and the benefit information, and the mobile-object information including the emergency information (col. 15 lines 3-19, restriction and benefit information such as anti-skid; Fig. 18 item 1840, storing information such as 911 or auto repair, therefore emergency information).

Regarding claim 11, O'Neil discloses the mobile-object-function restriction system as defined in claim 8, wherein communications between said mobile-object terminal device and said plurality of transmitting devices are performed by noncontact technique (Fig. 4 item 405 460, 430 and 410 wireless connection therefore noncontact technique).

Regarding claim 12. A mobile-object-function restriction method comprising:
a function executing step of executing at least one of functions of a mobile-object terminal device (Abstract);
a transmitting step of transmitting mobile-object information to a predetermined area (col. 4 lines 36-41), the mobile-object information including: function restriction information for use in restricting functions to be executed in said function executing step (col. 5 lines 30-34 render phone inoperative); benefit information for restriction of the at least one of functions, the restriction being executed according to the function restriction information (col. 15 lines 3-19, skid incidents over a predetermined period of time will be accumulated and such information is used to apply phone restriction for the benefit of safety); and emergency information to be issued in case of emergency for use in releasing restriction imposed on the at least one of functions (col. 5 lines 34-39 permit using the cell phone if identified as exceptional such as emergency);
a receiving step of receiving the mobile-object information transmitted in said transmitting step (col. 4 lines 51);
a storing step of storing the mobile-object information received in said receiving

step(col. 4 lines 51);

a controlling step of controlling functions to be executed in said function executing step(col. 5 lines 30-34 render phone inoperative), based on the function restriction information and emergency information included in the mobile-object information stored in said storing step(col. 5 lines 34-39 permit using the cell phone if identified as exceptional such as emergency); and

an accumulating step of accumulating, as accumulated benefit information, benefit determined on the basis of the benefit information included in the mobile-object information stored in said storing step, corresponding to the functions restricted in said controlling step(col. 15 lines 3-19, skid incidents over a predetermined period of time will be accumulated and such information is used to apply phone restriction for the benefit of safety).

O'Neil fails to disclose the benefit information for use in determining benefit to be given in compensation for restriction of the function. Carmon teaches a wireless telecommunication system tracking and accumulating the circuit outage and the vendor of the circuit will pay a credit amount to those purchasing service from the circuit (col.8 lines 4-14). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the invention disclosed by O'Neil, and provide the users with credits accumulated during the time period the service is not available, as taught by Carmon, thus enhance the user experience through an improved charging process in a wireless telecommunication system (col. 2 lines 17-26).

Regarding claim 13, O'Neil discloses the mobile-object-function restriction method as defined in claim 12, wherein when function start direction is issued in said function executing step, said controlling step includes restricting a function to which the function start direction is issued, based on the function restriction information and emergency information included in the mobile-object information stored in said storing step (col. 5 lines 25-42).

Regarding claim 14, O'Neil discloses the mobile-object-function restriction method as defined in claim 12, wherein when the mobile-object information is received in said receiving step, said storing step includes storing the mobile-object information received, and

wherein when a predetermined time elapses after the mobile-object information has been received in said receiving step, said storing step includes deleting or invalidating the function restriction information and emergency information included in the mobile-object information stored, and said accumulating step includes accumulating, as accumulated benefit information, benefit determined based on the benefit information included in the mobile-object information stored (col. 15 line 12, blocking phone function is performed for a predetermined time).

Regarding claim 15, O'Neil discloses the mobile-object-function restriction method as defined in claim 12, wherein the mobile-object information further includes function restriction start information and function restriction start information,

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wherein when the mobile-object information including the function restriction start information is received in said receiving step, said storing step includes storing the mobile-object information received, and

wherein when the mobile-object information including the function restriction release information is received in said receiving step, said storing step includes deleting or invalidating the function restriction information and emergency information included in the mobile-object information stored and said accumulating step includes accumulating, as accumulated benefit information, benefit determined based on the benefit information included in the mobile-object information stored (col. 15 line 12, blocking phone function is performed for a predetermined time).

Regarding claim 16, O'Neil discloses the mobile-object-function restriction method as defined in claim 12, wherein said transmitting step includes transmitting separately the mobile-object information including both the function restriction information and the mobile-object information and the mobile-object information including the emergency information (col. 5 lines 1-3 restriction unit; Fig. 18 item 1840, storing information such as 911 or auto repair).

Regarding claim 17, O'Neil discloses the mobile-object-function restriction method as defined in claim 12, wherein the function to be executed in said function executing step includes at least one of a communicating function, a shooting function, and a sounding function (col. 4 line 36 communication function).

Regarding claim 18, O'Neil discloses the mobile-object-function restriction method as defined in claim 12, wherein the function to be executed in said function executing step includes a speed control function to control speed of a vehicle (col. 9 lines 17-21).

Regarding claim 19, O'Neil discloses a recording medium storing, in a computer readable manner, a program describing a mobile-object-function restriction method, the mobile-object-function restriction method comprising:

a function executing step of executing at least one of functions of a mobile-object terminal device (col. 4 line 36 communication function);

a transmitting step of transmitting mobile-object information to a predetermined area (col. 4 lines 36 -38), the mobile-object information including: function restriction information for use in restricting functions to be executed in said function executing step (col. 5 lines 30-34 render phone inoperative); benefit information for use for restriction of the at least one of functions (col. 15 lines 3-19, skid incidents over a predetermined period of time will be accumulated), the restriction being executed according to the function restriction information (col. 15 lines 3-19, information is used to apply phone restriction for the benefit of safety); and emergency information to be issued in case of emergency for use in releasing restriction imposed on the at least one of functions (col. 5 lines 34-39 permit using the cell phone if identified as exceptional such as emergency);

a receiving step of receiving the mobile-object information transmitted in said

transmitting step (col. 4 lines 49-54);
a storing step of storing the mobile-object information received in said receiving step (col. 4 lines 62-67);
a controlling step of controlling functions to be executed in said function executing step, based on the function restriction information and emergency information included in the mobile-object information stored in said storing step (col. 5 lines 25-42); and
an accumulating step of accumulating, as accumulated benefit information, benefit determined on the basis of the benefit information included in the mobile-object information stored in said storing step, in correspondence with the function restricted in said controlling step (col. 15 lines 3-19), skid incidents over a predetermined period of time will be accumulated and such information is used to apply phone restriction for the benefit of safety). O'Neil fails to disclose the benefit information for use in determining benefit to be given in compensation for restriction of the function. Carmon teaches a wireless telecommunication system tracking and accumulating the circuit outage and the vendor of the circuit will pay a credit amount to those purchasing service from the circuit (col. 8 lines 4-14). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the invention disclosed by O'Neil, and provide the users with credits accumulated during the time period the service is not available, as taught by Carmon, thus enhance the user experience through an improved charging process in a wireless telecommunication system (col. 2 lines 17-26).

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4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil as applied to claim 1 above, and further in view of Durga (US 6813498).

Regarding claim 2, O'Neil discloses the mobile-object terminal device as defined in claim 1 (abstract), further comprising:

a first power supply of which the electric power supply is able to be switched on and off by a user (col. 6 line 41); and wherein said function restriction unit and said at least one of functional means are fed by said first power supply (col. 6 lines 34-46).

But O'Neil and Carmon fail to disclose a second power supply of which the electric power supply is unable to be switched on and off by the user, wherein said receiving unit, said information storage unit, and said accumulated benefit information reading unit are fed by said second power supply, and operate independently of said at least one of functional means. **Durga** teaches a mobile phone with a self recovery function that has two power supplies, one is removable and the other is non-removable which supports recovery mode in order to avoid potential interference with the recovery mode of the mobile phone (col. 8 lines 4-15). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the invention of O'Neil and Carmon, and provide two power supplies to support different functions of the mobile phone, as taught by Durga, thus guarantee the operation of functions of the mobile phone, as discussed by Durga.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Singh (US 20040198306) discloses a system that automatically disables or switches off a cellphone.

Parvulescu (US 687497) discloses a method and a system to disable a communication device during the occurrence of one or more predetermined conditions.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KATHY WANG-HURST whose telephone number is (571) 270-5371. The examiner can normally be reached on Monday-Thursday, 7:30am-5pm, alternate Fridays, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KATHY WANG-HURST/
Examiner, Art Unit 2617

/NICK CORSARO/
Supervisory Patent Examiner, Art Unit 2617